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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,860	11/19/2003	Anthony Sosnowski	037906.101735	9496

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PITNEY HARDIN LLP  
7 TIMES SQUARE  
NEW YORK, NY 10036-7311

EXAMINER
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OLIVA, CARMELO B

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/717,860

Applicant(s)

SOSNOWSKI, ANTHONY

Examiner

Carmelo Oliva

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 6, 8 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Casper (US 6,710,241).

Regarding claim 1, Casper discloses in Fig. 1 an EMI shielding vent panel 10 adapted for a corresponding aperture in a housing for electronic equipment, said panel comprising:

a two-piece, electrically conductive frame 30a-b having a perimeter defining a closed geometry adapted to enclose said aperture of said housing, each frame piece including a side wall (between 42a-b and 44a-b) having first and second edges and an end wall 46a-b extending from each first edge, said side walls having inner and outer surfaces, and wherein said end walls are disposed in an abutting orientation thereby positioning said inner surfaces of said side walls in an opposing orientation;

an electrically-conductive media 20 comprising a plurality of ventilation cells 28 extending along a transverse axis intermediate a pair of faces, wherein said cells define

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a perimeter for said media and said media being disposed intermediate said inner surfaces of said side walls;

wherein said frame pieces 30a-b are secured to each other and to said electrically-conductive media thereby providing electrical contact between said frame and said electrically-conductive media.

Regarding claims 2 and 3, said frame pieces 30a-b are secured to said electrically-conductive media 20 through said end walls and the side walls.

Regarding claim 4, at least one of said side walls can include a portion extending from said first edge to said second edge being deformed to project into said electrically-conductive media (col. 5, lines 57-65, i.e. screws).

Regarding claim 5, said end walls 46a-b of said frame pieces are further disposed in an at least partially overlapping orientation, one of said end walls providing an outer end wall surface for said frame where the other of said end walls providing an interior end wall surface facing said electrically-conductive media.

Regarding claim 7, said ventilation cells 28 are in a honeycomb structure (col. 4, lines 63-66).

Regarding claims 10-12, at least one electrically conductive open cell polymeric foam gasket is disposed between said frame pieces and said media to facilitate electrical contact (col. 6, lines 39-55).

***Allowable Subject Matter***

3. Claims 6, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Claims 6, 8 and 9 are allowable because the prior art alone or in combination does not teach or fairly suggest an EMI shielding vent panel, wherein said end wall providing said outer end wall surface includes a series of spaced-apart lances and said end wall providing said interior end wall surface includes a series of spaced-apart apertures positioned to provide engagement with said lances, taken in combination with the other claimed features.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 3,546,359; US 3,580,981; US 3,821,463; US 6,211,458; US 6,426,459; US 6,610,922 all show EMI shielding vent panels.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmelo Oliva whose telephone number is (571)272-1982. The examiner can normally be reached flexible hours on Monday through Friday with every other Wednesday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard, can be reached at (571)272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

*Dean A. Reichard* 3/7/05

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